



Attorney Docket No.: ARTM 1000-5

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Kathryn Marley

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: RICHARD EUSTIS FULTON III and WILLIAM R. DUBRUL  Application No.: 09/900,801  Filed: 6 July 2001  Title: BIOPSY LOCALIZATION METHOD AND DEVICE	Attorney Docket No.: ARTM 1000-5  Examiner: <b>Brian Scott Szmaj</b>  Group: 3736  Confirmation No.: 6827
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Commissioner for Patents  
Washington, D.C. 20231

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**AMENDMENT**

TECHNOLOGY CENTER R3700

Dear Sir:

In response to the Office Action mailed 2 October 2002, for which a Petition for a two-month extension of time to respond from 2 January 2003 through 2 March 2003 is enclosed, please amend this application as follows. An Appendix of marked-up amended claims 89, 90, 92, 93, 94, 136, 154 and 157 is attached.

**In The Claims**

Please cancel Claims 91, 104-117, 140 and 149 and amend Claims 89, 90, 92, 93, 94, 136, 154 and 157 as follows. All claims are included for convenient reference.

1 89. (Amended) A target tissue localization device comprising:  
2 a bioabsorbable element in a pre-delivery state prior to its delivery to a  
3 soft tissue site of a patient;  
4 the bioabsorbable element comprising a chemotherapy agent; and  
5 said bioabsorbable element being of a material which is in a post-delivery state  
6 at the target tissue site.

1 90. (Amended) The device according to claim 89 wherein the bioabsorbable  
2 element is remotely visualizable within the surrounding soft tissue when in the post-delivery  
3 state.

1 92. (Twice Amended) A target tissue localization device comprising:  
2 a therapeutic bioabsorbable element in a pre-delivery state prior to its delivery  
3 to a soft tissue site of a patient;

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